



W.P.No.25169 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2025

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THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

W.P.No.25169 of 2025

P.Priya

... Petitioner

Vs.

1.The Secretary to Government of Tamil Nadu,
School Education Department,
Secretariat,
Fort St.George,
Chennai – 600 009.

2.The Director,
Directorate of School Education,
No.17, DPI Campus,
Opposite Sankara Nethralaya Hospital,
College Road, Subba Road Avenue,
Nungambakkam, Chennai – 600 034.

3.The District Educational Officer,
O/o.District Educational Officer,
Ulundurpet,
Kallakurichi District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus, to direct the respondents to provide



W.P.No.25169 of 2025

one post to the petitioner under compassionate grounds in School Education Department by considering the petitioner's representation dated 07.01.2016 and 14.02.2022.

For Petitioner : Mr.S.Esakkimuthu
For Respondent : Mrs.S.Mythreye Chandru
Special Government Pleader

ORDER

The instant writ petition has been filed with a prayer for issuing a Mandamus to to direct the respondents to provide one post to the petitioner under compassionate grounds in School Education Department by considering the petitioner's representation dated 07.01.2016 and 14.02.2022.

2. The learned counsel for the petitioner would submit that his mother P.Jaya died on 26.04.2013 and at that time, she was working as a Tamil Teacher at Government Higher Secondary School, Thiyagai, Kallakurichi District. It is the further submission of the petitioner that after the demise of her mother, the petitioner gave representation to the respondents on 07.01.2016 claiming compassionate appointment. However, such representation was not considered by them. Hence, she again submitted an application on 14.02.2022 and such representation is still pending with the respondents. Hence the present writ petition.



W.P.No.25169 of 2025

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3. At this juncture, the learned Special Government Pleader appearing for the respondents would strongly object the contention of the petitioner that there are no proof that the petitioner submitted an application on 07.01.2016. Apart from that, the documents which are filed along with the subsequent representation dated 14.02.2022, where all obtained subsequent to the alleged earlier representation.

4. The learned Special Government Pleader for the respondents further submitted that deceased P.Jaya has also married another person and had a son through the marriage. There is a rival claim between the petitioner and his step brother. Hence, there is no ground to consider the petitioner's representation.

5. The learned counsel for the petitioner would submit that the step brother has already given no objection. Though there is a disputed fact, the fact remains that the petitioner's representation dated 14.02.2022 is yet to be considered by the respondents.



W.P.No.25169 of 2025

WEB COPY

6. Heard the learned counsel for both sides and perused the materials available on record.

7. In view of the above submission, without going into the merits of this Writ Petition, this Court deems it appropriate to direct the respondents to consider the petitioner's representation dated 14.02.2022 after issuance of notice to the rival claimant, and after giving an opportunity of hearing to the rival claimant, to pass orders on its own merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order

8. In the result, this Writ Petition is disposed of with the above observations. No costs.

10.07.2025

Index : Yes/No

Speaking order /Non Speaking Order

Neutral Citation : Yes/No

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C.KUMARAPPAN, J.

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